

MEMORANDUM OF AGREEMENT
BETWEEN THE
OHIO ENVIRONMENTAL PROTECTION AGENCY
AND
REGION V, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

INTRODUCTION

The Environmental Protection Agency (EPA) Guidelines for State program elements necessary for participation in the National Pollutant Discharge Elimination System (NPDES), 40 CFR 124, prepared pursuant to the authority contained in Section 304(h) (2) of the Federal Water Pollution Control Act Amendments of 1972 (referred herein as the Federal Act) were published in the Federal Register on December 22, 1972. Various sections of the Guidelines permit the Chief Administrative Officer of a State water pollution control agency and the Regional Administrator of EPA to reach agreement on the manner in which the 40 CFR 124 Guidelines are to be implemented.

To satisfy the requirements of the Guidelines, the following procedures are hereby agreed to by the Chief Administrative Officer of the Ohio Environmental Protection Agency, referred to herein as the Director and the Regional Administrator.

The sections and subsections of 40 CFR 124 related to these agreements are: 124.22, 124.23, 124.35(b), 124.35(c), 124.41(c), 124.44(d), 124.46, 124.47, 124.61(b), 124.62(c), 124.71(c), 124.72(b), 124.73(b)(2), and 124.80(d). The terms used in this Memorandum of Agreement have the same meaning as those used and defined in 40 CFR 124.1.

I. SECTION 124.22 RECEIPT AND USE OF FEDERAL DATA

- A. The two purposes of this part of the Agreement are: (1) to provide for the transfer of data bearing on NPDES permit and Refuse Act applications from the U.S. EPA to the Ohio EPA, and (2) to insure that any deficiencies in the transferred NPDES and Refuse Act applications will be corrected prior to the issuance of an NPDES permit.
- B. Commencing immediately, the Regional Administrator will transmit to the Ohio EPA a list of all NPDES permit and Refuse Act applications received by the U.S. EPA. This list will include the name of each discharger, SIC Code, the application number, and will indicate those NPDES and Refuse Act permit applications which U.S. EPA has determined to be administratively complete.
- C. After receipt of the list, the Ohio EPA will identify the priority order to be used by U.S. EPA to transmit application files to the Ohio EPA. The application file will include the NPDES and Refuse Act permit application and any other pertinent data collected by U.S. EPA. The application files will be transmitted to the NPDES Permit Records Section of the Ohio EPA according to the priority order identified, and U.S. EPA will retain one copy of each file transmitted to the Ohio EPA.
- D. When an NPDES or Refuse Act application transmitted to the Ohio EPA has been identified as administratively incomplete, the Ohio EPA will request the necessary information from the applicant and correct the application. The Director, at his discretion, may also obtain additional information for those applications identified by U.S. EPA as administratively complete to update or evaluate and process the application.
- E. The Ohio EPA NPDES Permit Records Section will transmit two (2) copies of completed NPDES applications (other than those determined by U.S. EPA to be complete under paragraph B. above) to the Regional Administrator, Attention: Permit Branch.
- F. If the Regional Administrator determines that an NPDES or Refuse Act application is not complete, he will specifically identify the deficiencies by letter to the NPDES Permit Records Section, Ohio EPA. If no objection is received from the Regional Administrator within 20 days of the date of the postmark of the transmittal, the application shall be deemed to be complete and the Ohio EPA will act upon the permit application without further action by the Regional Administrator. If deficiencies are identified by the Regional Administrator during the time period specified above, no NPDES permit will be issued by the Director until all deficiencies are corrected in a revised NPDES application, the revised application is transmitted to the Regional Administrator, and 15 days from the date of the postmark of the transmittal elapse without objection by him.
- G. The Ohio EPA will transmit weekly to the Regional Administrator, Attention: Permit Branch, a listing of applications sent to U.S. EPA. This listing will include the application number, name of applicant, and period of comment. U.S. EPA will confirm that the listing accurately represents those applications received.

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1.0 Introduction

This document is the application submitted by Governor John J. Gilligan for authority to administer the National Pollution Discharge Elimination System (NPDES) in the State of Ohio. The application is made to the Administrator of the United States Environmental Protection Agency (U.S. EPA) through the Regional Administrator, Region V, U.S. EPA. When the application is approved, the Ohio Environmental Protection Agency (Ohio EPA) will be solely responsible for issuing NPDES permits to almost all point source dischargers to waters of the state, the exception being federal facilities discharging to waters of the state.

The NPDES program was created by the Federal Water Pollution Control Act, 1972, FWPCA, 1972. Its final goal is to eliminate the discharge of pollutants into navigable waters by 1985. The mechanism for controlling point source dischargers in order to meet this goal is the NPDES discharge permit. After December 31, 1974, this permit will be required of every point source discharger as defined by Ohio EPA regulations EP-31-02, Appendix 3.4. When an applicant receives an NPDES discharge permit, he is given the conditions under which he must operate in order to discharge to waters of the state. A permit will specify the amount of pollutants that may be discharged, the monitoring and reporting that must be made about the discharge, and, if necessary, a schedule for constructing the facilities necessary to control the pollutants in the discharge. Through the renewal process, every point source will be taken through a number of steps that are necessary in order to meet the 1985 goal.

Section 402(b) of the FWPCA, 1972, allows the Administrator of U.S. EPA to delegate the authority to administer the NPDES program. Before the authority can be delegated, the Ohio EPA must demonstrate that it meets the necessary requirements. These requirements are contained in Section 402(b) of the FWPCA, 1972, and in regulations 40 CFR 124 et. seq.

This document is written to meet these legal requirements. It is composed of two sections. One section is the program description. This section details how the Ohio EPA will administer the NPDES program. It includes descriptions of the Ohio EPA organization, the permit procedures, and resources devoted to the permit program. Two important parts of this section are the Ohio NPDES regulations and the Memorandum of Agreement between U.S. EPA and Ohio EPA. The regulations detail how the NPDES permits will be written. The Memorandum of Agreement details the responsibilities of the Ohio EPA and U.S. EPA in the NPDES program.

The second section of the document is the Attorney General's statement. This statement certifies the Ohio EPA as having sufficient legal authority and satisfactory regulations in order to administer the NPDES program within federal requirements. It further certifies that no person issuing NPDES permits is subject to a conflict of interest as defined by federal regulations.

2.0 State Program

2.1 Description of State Responsibilities

Basic authority for water pollution control in Ohio is Ohio Revised Code Chapter 6111, as amended. Chapter 6111 was amended in 1972 and again in 1973 to institute a discharge permit system compatible with the National Pollutant Discharge Elimination System (NPDES) initiated by the 92nd Federal Congress through the enactment of the Federal Water Pollution Control Act of 1972 (PL 92-500) for all persons discharging wastes into the surface or ground waters of the state, or onto the ground.

Ohio Revised Code Section 6111.04 now provides that no person shall place any pollutant, i.e., sewage, industrial waste, or other waste, into any waters of the state, or place such matter in a location where it causes such pollution, unless he holds a valid and unexpired permit from the Ohio Environmental Protection Agency (Ohio EPA) or unless an application for renewal is pending.

Revised Code Section 6111.03 (J) further provides that all discharge permits issued by the Ohio EPA must comply with all requirements of the Federal Water Pollution Control Act of 1972 and regulations adopted thereunder. In addition, no permit shall be issued if the Administrator of the U.S. EPA objects in writing to the issuance, if the Secretary of the Army determines in writing that anchorage or navigation would be substantially impaired by the proposed discharge, or if a discharge of radiological chemical, biological warfare agent or high-level radioactive waste is proposed. All persons discharging or proposing to discharge sewage, industrial waste, or other waste into surface waters of the state will be issued a discharge permit pursuant to PL 92-500, Chapter 6111, and the procedural and substantive rules of the Ohio EPA. Persons injecting into wells any substance that may pollute waters of the state must apply to the Ohio EPA for an NPDES permit. In addition, persons injecting water, gas, or other material into a well to facilitate the production of oil or gas or for disposal purposes must obtain a permit from the Ohio Department of Natural Resources in compliance with Ohio Revised Code Section 1509.081.

NPDES permits issued by the Ohio EPA for all discharges will contain appropriate effluent limitations and restrictions and schedules of compliance, and other conditions deemed necessary by the Ohio EPA to give adequate protection to waters of the state. No permit will be valid for more than five years. Monitoring and other reporting requirements will be included in the permit whenever necessary. Mixing zones are already provided in the Ohio Water Quality Standards, EP-1. (Appendix 3.4)

The Ohio EPA and the U.S. EPA, Region V, have arrived at a Memorandum of Agreement, which outlines the procedures by which Ohio will implement the 40 CFR 124 guidelines of U.S. EPA. This Memorandum will be signed by the Director of the Ohio EPA and constitutes an official part of this program submittal. The Agreement contains the following procedures which the Ohio EPA will pursue as part of its implementation of the NPDES permit program:

- a. Receipt and use of Federal data
- b. Transmission of data to U.S. EPA Regional Administrator
- c. Public access to information
- d. Draft permit objections
- e. Schedules of Compliance in issued NPDES permits
- f. Transmission to U.S. EPA Regional Administrator of proposed and issued NPDES permits
- g. Monitoring
- h. Modification, Suspension, and Revocation of NPDES permits
- i. Enforcement
- j. Control of disposal of pollutants into wells

Ohio law authorizes the Ohio EPA to adopt regulations to carry out the functions and purposes of the law. The Director has adopted regulations entitled "Chapter EP-31, Ohio NPDES Discharge Permits", which set forth provisions governing NPDES discharge permits. These regulations will include:

1. A requirement that all persons discharging wastes into waters of the state shall apply for NPDES permits from the Ohio EPA
2. Exceptions
3. Criteria for issuing permits
4. Description of compliance schedules
5. Description of conditions that will be included in permits
6. Provisions for transfer, revocation, termination, and modification of permits

Procedures whereby permits are granted and denied, as well as appeal procedures, are set forth in Ohio Revised Code Chapter 119, the Administrative Procedure Act; in Chapter EP-40, Procedural Rules of the Ohio EPA; in O.R.C. Chapter 3745; and the Rules of the Environmental Board of Review.

In addition to the state responsibilities for the Ohio Wastewater Discharge Permit System described above, the Ohio EPA has submitted for approval by the U.S. EPA a continuing planning process and water quality standards, as required by Section 303 of PL 92-500.

The Ohio Attorney General has prepared an "Attorney General's Statement" as required by Section 402(b) of PL 92-500 outlining the authority of the State of Ohio to carry out the NPDES Wastewater Discharge Permit Program.

2.2 Organization and Structure of the Ohio EPA

The Ohio Environmental Protection Agency is a cabinet-level department whose Director is appointed by the Governor with consent of the Senate. It began operations on October 23, 1972, with personnel transferred from the Ohio Water Pollution Control Board, Ohio Air Pollution Control Board, Ohio Department of Natural Resources and the Ohio Department of Health. Since October, the Agency has grown and its statutory authority revised to meet the requirements of the NPDES program. Under existing law, the Ohio Environmental Protection Agency is responsible for all environmental protection programs of the state. It has sole state authority to administer the NPDES program.

To carry out the Agency's environmental programs, the organization has a functional structure. Most of the burden for the permit program is borne by the Divisions of Surveillance and Waste Management and Engineering. Other important functions are performed by the Divisions of Planning, Data and Systems, and Litigation and NPDES Permit Records. The organization chart, 2.2.2, shows the relationships of the various Divisions.

Division of Waste Management and Engineering

The Division operates through four district offices with central office coordination. Personnel of this Division are responsible for determining the time needed for compliance with permit effluent limitations. When a plan is developed for dealing with the wastewater discharge, this Division is responsible for plan approval. Once the facility is operating, they are responsible for inspecting the facilities to insure proper operation and maintenance. The district offices have primary responsibility for establishing the compliance schedules, approving plans, and inspecting facilities. The central office coordinates district operations and reviews proposed permits for consistency with policy.

Division of Surveillance

This Division operates through four district offices with central office coordination and technical support. The determination of allowable levels of pollutant discharge from a point source is one of the Division's responsibilities. Through a self-monitoring and field sampling program, the Division polices compliance with permit effluent limitations. To measure the effectiveness of the permit program, a water quality sampling program is carried out. The district offices are primarily responsible for determining permit conditions and following up on compliance monitoring. The central office develops the methods for surveillance, coordinates district activities and supports district operations.

Division of Planning

This Division's primary concern is with the long-term effects of a permit and consistency of permits with water quality basin plans.

Division of Data and Systems

This Division supplies the data processing support needed to monitor compliance with permit conditions. The support requires the entry of application data and permit values into the computer system as well as entry of effluent reporting data and compliance reporting data. This Division will supply data directly to the General Point Source File (GPSF) of U.S. EPA.

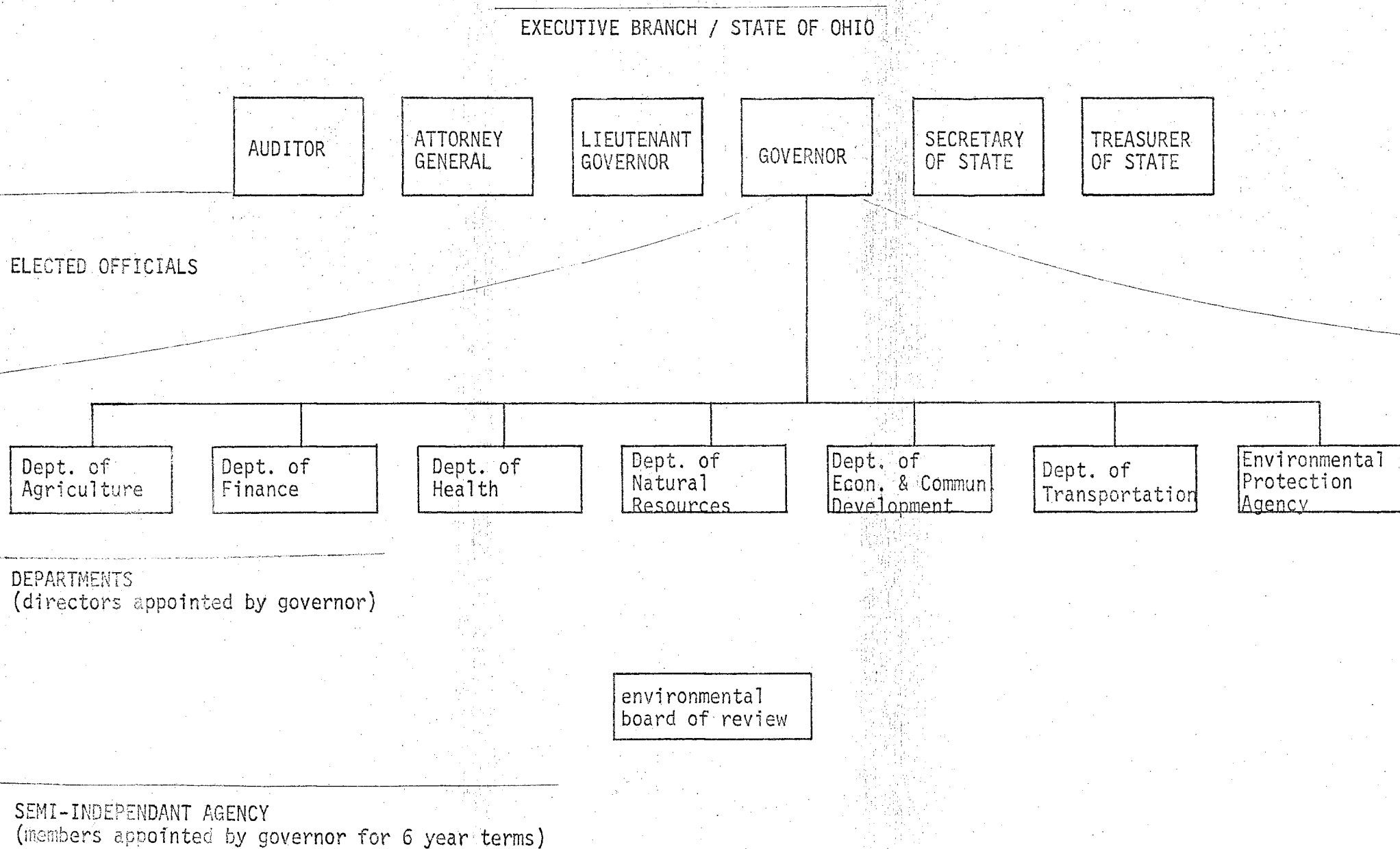
Division of Litigation and NPDES Permit Records

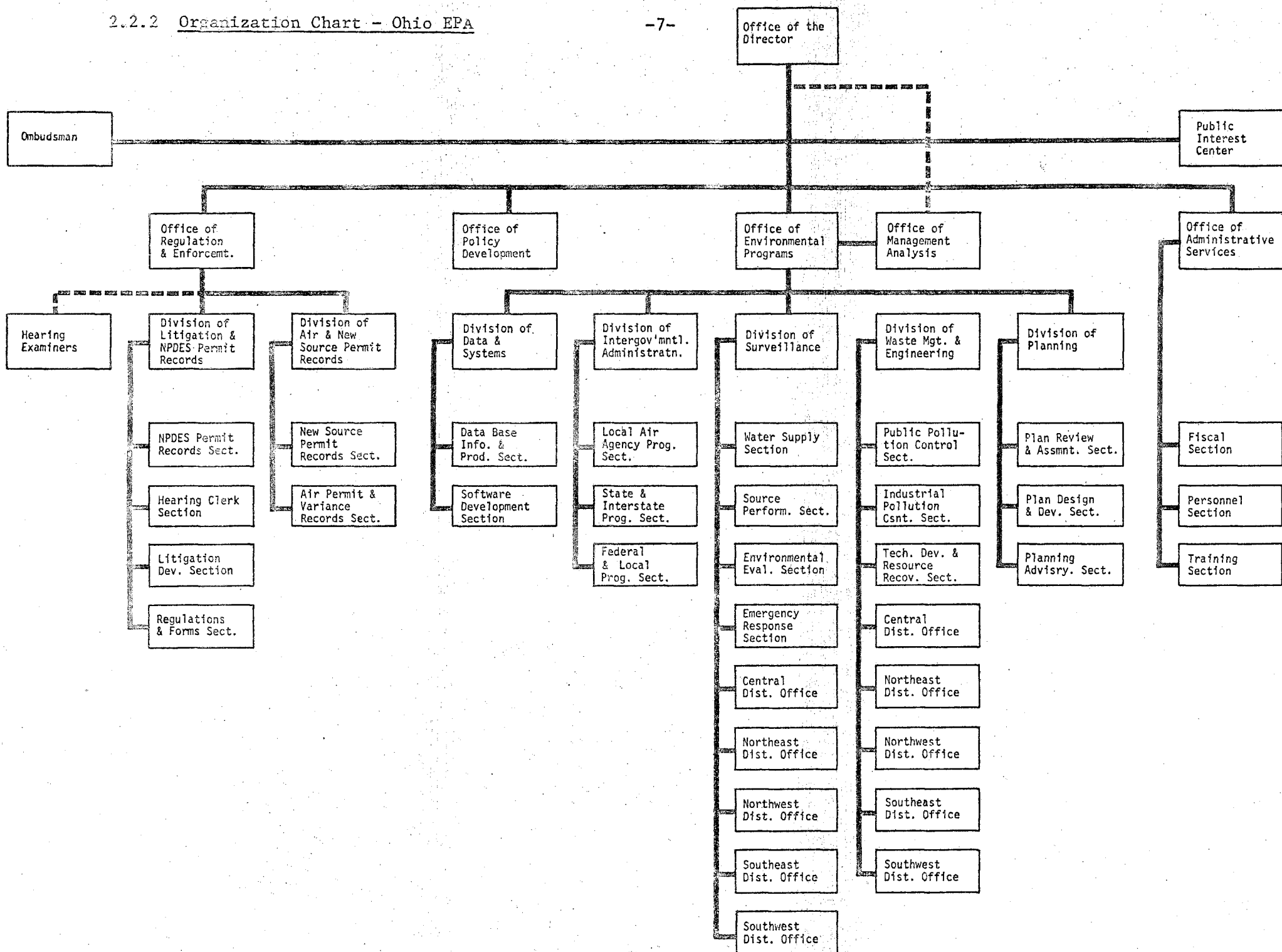
This Division is responsible for the activities necessary to provide the required public notice, arrange the public meetings, collect the comments on proposed permits, and issue proposed and final permits.

Once a permit is effective, the Division will be responsible for receiving event reports required by the permit compliance schedule and monitoring the official records. The district operations are the initial contact for NPDES applications and are responsible for logging permits into the processing system. The central office coordinates district operations as well as keeps records on all public and adjudicatory hearings.

Director

The Director or his designated representative will issue each NPDES permit. The Director is legally responsible for the content of all permits.







THE STATE OF OHIO
Environmental Protection Agency
Districts & District Offices

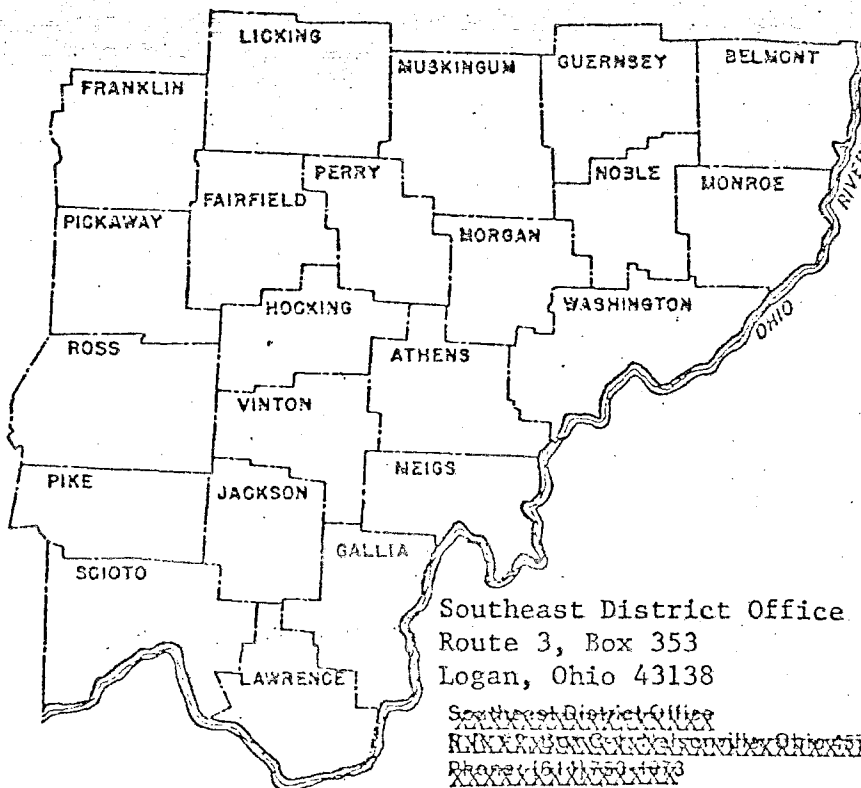
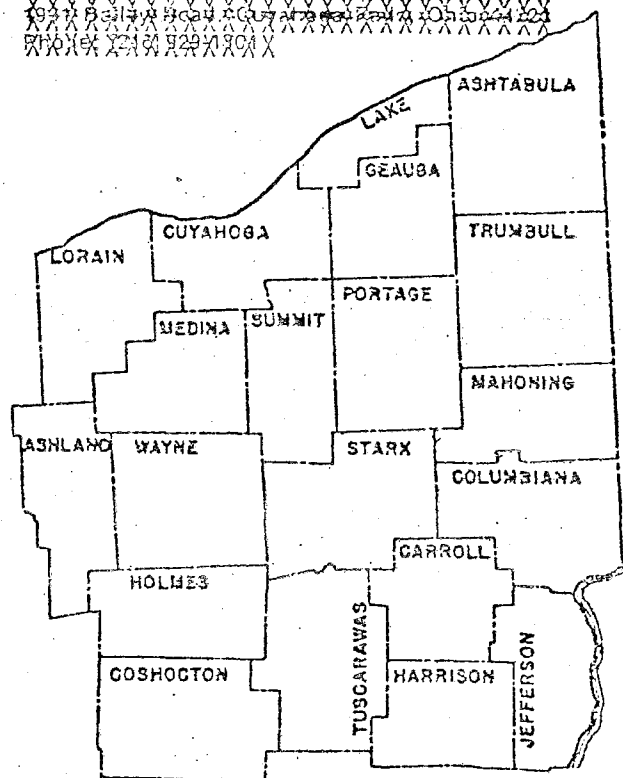
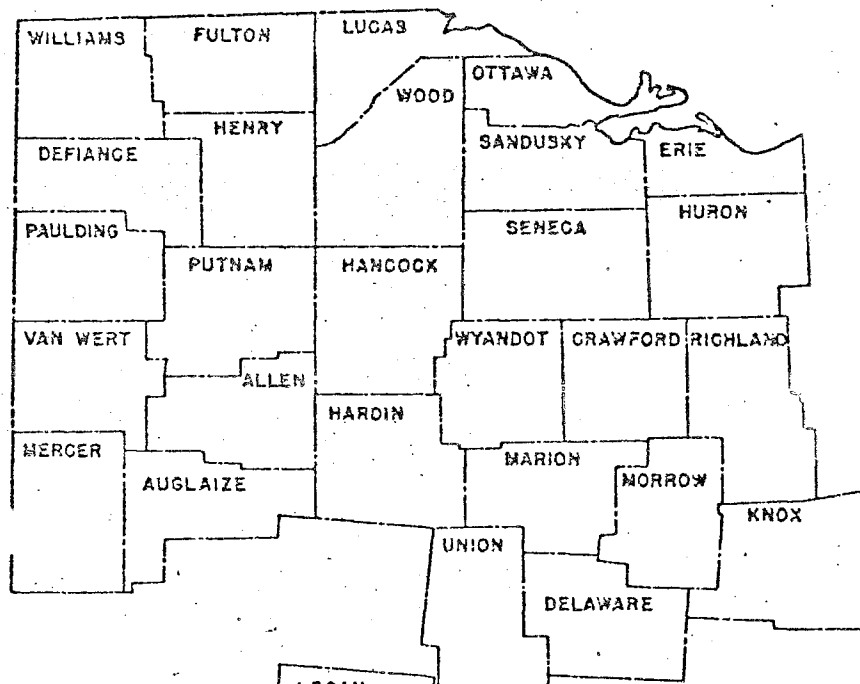
2.2.3

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NORTHEAST DISTRICT OFFICE
2110 E. Aurora Road
Twinsburg, Ohio 44087
Phone (216) 425-9171

Northwest District Office
111W. Washington St., Bowling Green, Ohio 43402
Phone: (419) 352-8551 XXXXX 352-8461

Northwest District Office
19371 Balfour Road, Aurora, Ohio 44202
Phone: (216) 929-1904 XXXXX



Southwest District Office
40 South Main St., Dayton, Ohio 45402
Phone: (513) 461-5500 XXX 4670

Southeast District Office
Route 3, Box 353
Logan, Ohio 43138

Southwest District Office
19371 Balfour Road, Aurora, Ohio 44202
Phone: (216) 929-1904 XXXXX
Phone: (614) 385-8501

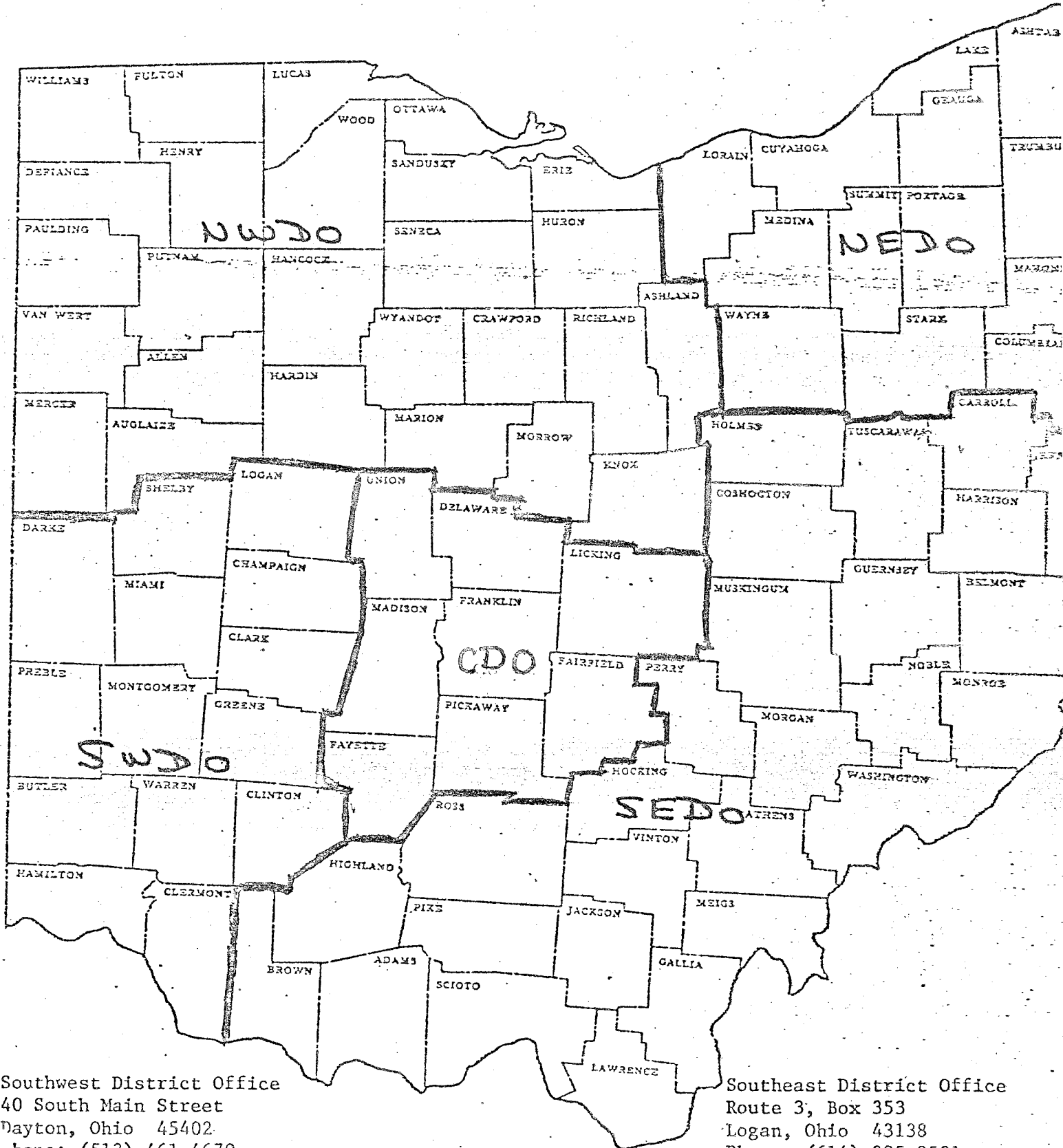
Five District Operation

After January, 1974, the Ohio EPA will reorganize its district operations to meet the requirements of a Governor's executive order on uniform districting of state agencies. The attached map indicates the new districts. For those Divisions with district offices, there will be five, rather than four, district operations.

Northwest District Office
111 W. Washington Street
Bowling Green, Ohio 43402
Phone: (419) 352-8461

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OHIO EPA

Northeast District Office
2110 E. Aurora Road
Twinsburg, Ohio 44087
Phone: (216) 425-9171



Southwest District Office
40 South Main Street
Dayton, Ohio 45402
Phone: (513) 461-4670

Southeast District Office
Route 3, Box 353
Logan, Ohio 43138
Phone: (614) 385-8501

Central District Office
Columbus, Ohio

2.3 Permit Processing

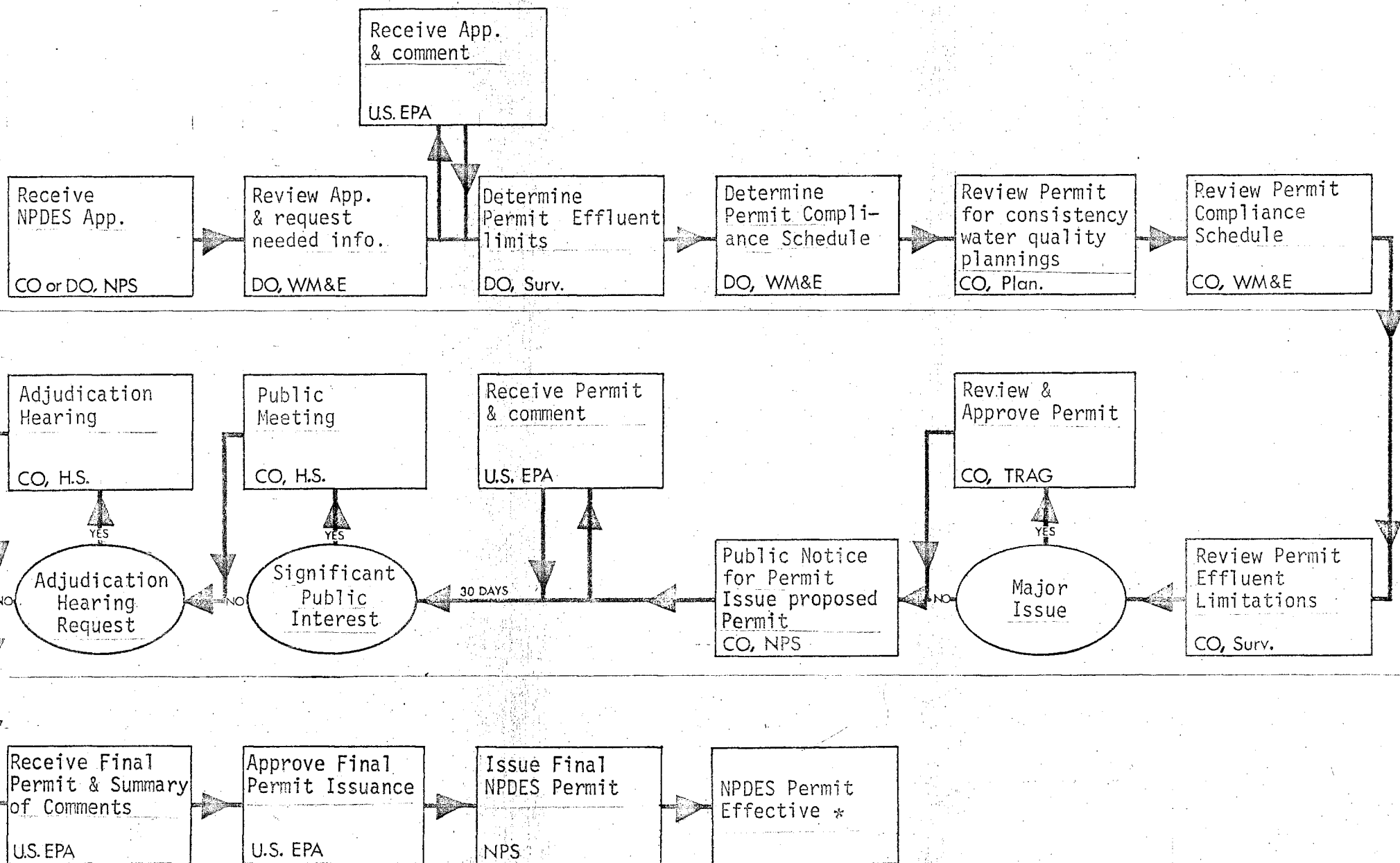
2.3.1 Permit Program Procedures

Procedures for processing permits call upon the skills of several different divisions. Each permit application is received by the district office representatives of the NPDES Permit Records Section of the Division of Litigation and NPDES Permit Records for logging into the permit monitoring system. In the district office, the Division of Surveillance is responsible for the effluent limits and the monitoring requirements. District office personnel in the Division of Waste Management and Engineering are responsible for determining application completeness, drafting the permit using Division of Surveillance input, determining compliance schedules and other special conditions. Central Office, Divisions of Surveillance and Waste Management and Engineering, reviews the draft permit for conformance with established policy and regulation. The Division of Planning reviews the permits for consistency with existing water quality plans. In cases involving a major source or a special problem, the permit will be forwarded to the Technical Regulatory Advisory Group for approval or resolution. When the permit has been completed, the Litigation and NPDES Permit Records Division is responsible for issuing the proposed permit and complying with public notice and public participation requirements. If the proposed permit is sent to an adjudicatory hearing, the Hearing Examiners section of the Office of Regulation and Enforcement will hear the case and make a recommendation to the Director. Based upon this recommendation and other considerations, the Director will approve issuance of a final NPDES permit by the Litigation and NPDES Permit Records Division.

When a permit is effective, the Division of Surveillance is responsible for monitoring the entity's compliance with the effluent limitations using a self-monitoring and field sampling program. The Division of Waste Management and Engineering is responsible for monitoring completion of construction schedules and proper operation and maintenance of waste treatment facilities. Providing the needed information for this compliance monitoring is the responsibility of the Division of Data and Systems. The Water Permit Information System developed by this Division will process the self-monitoring reports and compliance reports submitted by the permittee. Data received through these reports is compared with permit requirements and violations noted. In cases of violations, the Litigation Development section of the Division of Litigation and NPDES Permit Records, with the support of the Division of Surveillance and/or the Division of Waste Management and Engineering, is responsible for taking the appropriate action.

This abbreviated description gives the general outline for the attached flow chart of the NPDES permits.

SIMPLIFIED NPDES PERMIT PROCEDURES



*Ohio EPA will send two copies of issued permit to U.S. EPA.

ABBREVIATIONS ON BACK

Simplified NPDES Permit Procedures

List of Abbreviations

C.O.	Central Office
D.O.	District Office
WM&E	Division of Waste Management and Engineering
Surv.	Division of Surveillance
Plan.	Division of Planning
NPS	NPDES Permit Records Section, Division of Litigation and NPDES Permit Records
H.S.	Hearing Section, Division of Litigation and NPDES Permit Records
Director	Director of the Ohio EPA
TRAG	Technical Regulatory Advisory Group
U.S. EPA	Region V, U.S. EPA
EBR	Environmental Board of Review

2.3.2 Priority System for Permit Issuance

General

The Ohio EPA will establish an implementation schedule to process all wastewater discharge permits within the time period specified in Public Law 92-500. It is the Agency's intention that permits will be processed and issued for point source discharges to the surface waters of the state or to deep-disposal wells by December, 1974. The number of permits to be processed during the available time is approximately 2700. This will require a processing rate on the average of 200 permits per month.

Basis of Priority for Issuance

The Ohio EPA proposes to give priority to the issuance of permits based upon the following priority groupings.

1. Major dischargers
2. Dischargers to water quality segments in priority river basins (Great Miami, Maumee, Scioto, and Cuyahoga) and Lake Erie
3. Dischargers to effluent limited segments in priority basins
4. Dischargers to water quality segments in non-priority basins
5. Dischargers to effluent limited segments in non-priority basins

Some flexibility in the order of permit processing will be necessary because of delays caused by the need for public hearings, need for clarification of application data and other unavoidable circumstances. The Agency will make every effort to adhere to the proposed priority system.

Major Dischargers

The Ohio EPA and U.S. EPA have jointly prepared a "major industrial dischargers" list which will form the largest part of the first priority group.

The Ohio EPA will issue permits to approximately 127 major municipal dischargers by June, 1974. Scheduled for completion by June, 1974 are all major dischargers in priority basins on the "major dischargers list" developed by Ohio EPA and U.S. EPA. Also scheduled for completion by June are all municipalities which received federal funding in fiscal 1972 and 1973 and all municipalities high on the priority list for funding in fiscal 1974.

Dischargers in Priority Basins

The Ohio EPA intends to complete Section 303(e) basin plans for the Maumee, Scioto, Great Miami and Cuyahoga basins by June, 1974. Permits for major dischargers in those basins will be drafted by that time according to load allocations assigned as a result of reductions found through the 303 planning to be needed to meet water quality standards. To the degree possible, permits will be issued to dischargers to water quality segments in the priority basins before permits are issued to dischargers to effluent limited segments.

Dischargers in Non-priority Basins

Permits for dischargers outside the priority basins will be processed in general after major dischargers and dischargers to the priority basins. The order of priority within this category will be (1) municipal and industrial dischargers to water quality segments, (2) municipal and industrial dischargers to effluent limited segments, and (3) semi-public dischargers.

Major Discharger Priority

Within the first priority groupings of major dischargers, the following priority for issuance will be adhered to within the limitation of data availability.

Basis of Priority for Issuance

Municipal Permits

I. Major dischargers to water quality segments in priority river basins (Great Miami, Maumee, Scioto and Cuyahoga) and Lake Erie from Rocky River to the Chagrin River, Ohio River, Cincinnati area.

Akron	Hamilton Co., MSD, Muddy Creek
Archbold	Jackson
Bedford	Kent
Bedford Heights	Lima
Bellfontaine	MCD Franklin Area
Brecksville (Cuyahoga Co., S.D. #13)	Maple Heights
Bryan	Marion
Cleveland Easterly	Miamisburg
Cleveland Southerly	Middletown
Cleveland Westerly	Montgomery Co., Moraine #1
Chillicothe (Manor, Pyles Lane, Renick)	Napoleon
Circleville	Oxford
Columbus Jackson Pike	Perrysburg
Columbus Southerly	Ravenna
Cuyahoga Co., S.D. #6	Reynoldsburg
Dayton	St. Mary's
Delaware	Solon
Delphos	Springfield
Englewood	Summit Co., S.D. #15
Euclid	Sylvania
Fairborn	Toledo (Barrington Woods & Bay View)
Fairfield	Troy (Miami & NE)
Findlay	Twinsburg
Galion	Urbana
Greenville	Van Wert
Grove City	Vandalia
Hamilton	Washington Court House
Hamilton Co., MSD, Little Miami	West Carrollton
Hamilton Co., MSD, Mill Creek	Willoughby Eastlake

II. Major dischargers to effluent limited segments in priority basins.

Defiance
Montpelier
Piqua
Sidney

III. Major dischargers to water quality segments in non-priority basins.

Alliance	Mansfield
Amherst	Massillon
Ashland	Medina Co., S.D. #100 Brunswick
Avon Lake	Medina Co., S.D. #500 (Formerly Medina)
Barberton	Middleburg Heights
Bellevue	Montgomery Co. Beaver Creek #3
Berea	Montgomery Co. Sugar Creek Plant
Bowling Green	Newark
Brookpark	Niles
Bucyrus	North Olmsted
Cambridge	Norwalk
Campbell	Orrville
Canton	Painesville
Celina	Port Clinton
Conneaut	Salem
Coshocton	Sandusky
Elyria	Shelby
Fostoria	Struthers
Fremont	Tiffin
Girard	Upper Sandusky
Green Co., Little Miami Plant	Wadsworth
Hamilton Co., MSD, Sycamore Plant	Warren
Lake County S.D. #1 (Madison Plant)	Wilmington
Lake County Mentor S.D. (Formerly WMSD)	Wooster
Lakewood	Xenia
Lancaster	Xenia, Ford Road
Lorain	Youngstown
Mt. Vernon	

IV. Major dischargers to effluent limited segments in non-priority basins.

Athens	Marietta
Belmont Co. Sew. Auth. #1	New Philadelphia
Dover	Portsmouth
East Liverpool	Steubenville
Ironton	Urichsville
Lebanon	Zanesville

Industrial Permits

I. Major dischargers to water quality segments in priority river basins (Great Miami, Maumee, Scioto and Cuyahoga) and Lake Erie from Rocky River to the Chagrin River, Ohio River, Cincinnati area.

Allied Chemical Corp.	OX2-2-000445
Alloy & Chemicals	OX2-2-000017
A.O. Smith	OYE-2-000694
ARMCO Steel Corp.	OYE-2-000589
ARMCO Steel Corp.	OYE-2-000590
Ashland Oil Co.	OX5-2-710287
B.F. Goodrich Co.	OYD-2-000403
Campbell Soup Co.	OX5-2-710467
Cincinnati Oil & Gas	
Beckjord Station	OYE-2-000540
Miami Fort Station	OYE-2-000541
West End Station	OYE-2-000542
Container Corp. of America	OYD-2-000440
Crown Zellerbach	OYD-2-000323
Dayton Power & Light	
Hutching Station	OYE-2-000047
Stewart Station	OYE-2-000131
Tait Station	OYE-2-000115
E.I. du Pont	OX2-2-000344
E.I. du Pont	OYD-2-000567
Firestone	OYD-2-000940
General Electric	OYE-2-000705
Goodyear	OX2-2-000113
Gulf Oil Co.	OX5-2-710243
Harshaw Chemical	OX2-2-000256
Hayes Albion Corp.	OX5-2-710469
Interlake Steel	OX5-2-710274
Johns-Manville	OX5-2-710110
Jones-Laughlin Steel	OX2-2-000303
Libby-McNeil-Libby	OX5-2-735001
Libby-Owens Ford	OX5-2-710039
Mead Corp.	OYD-2-000200
Mobil Oil Corp., Ind. Chem. Div.	OYE-2-000108
Oxford Paper	OYE-2-000521
PPG Industries, Inc.	OYD-2-000116
Republic Steel	OX2-2-000328
River Smelting & Refining	OX2-2-000037
Sorg Paper	OYE-2-000443
Standard Oil Co.	OX5-2-710274
Sun Oil Co.	OX5-2-710234
U.S. Plywood-Champion Paper Co.	OYE-2-000601
U.S. Steel Corp.-Central Furnace	OX2-2-000607
U.S. Steel Corp.-Cuyahoga Works	OX2-2-000609
Vistron	OX5-2-710067

II. Major dischargers to effluent limited segments in priority river basins.

GMC Foundry OX5-2-710119

III. Major dischargers to water quality segments in non-priority basins.

Brush Beryllium	OX5-2-710051
Central Soya	OX2-2-000392
Chase Bag	OX2-2-000143
Cleveland Electric Illum. Co.	
Ashtabula	OX2-2-000355
Avon Lake	OX2-2-000354
Cleveland	OX2-2-000357
Willoughby	OX2-2-000356
Columbus-Southern Elec. Co.	
Conesville Station	OYD-2-000383
Copperweld Steel	OYJ-2-000303
Detrex Chemical, Inc.	OX2-2-000287
Diamond Shamrock	OX2-2-000240
Dover Chemical	OYD-2-000747
Ford Motor Co.	OX2-2-000370
General Electric Co.	
Mahoning Glass Co.	OYJ-2-000307
Niles Glass Co.	OYJ-2-000308
General Tire & Rubber Co.	OX2-3-000109
Glycon Chemical	OX2-2-000104
GMC, H.B. Division	OX2-2-000092
Harshaw Chemical	OX2-2-000232
IRC Fiber Corp.	OX2-2-000349
New Jersey Zinc	OX2-2-000172
Norfolk & Western R.R.	OX2-2-000442
North American Rockwell	OYJ-2-000309
Ohio Edison Co.	
Niles Plant	OYJ-2-000410
Olin Corp.	OX2-2-000401
Reactive Metals, Inc.	
Metal Reduction Plant	OX2-2-000156
Sodium & Chlorine Plant	OX2-2-000157
Republic Steel	
Niles Plant	OYJ-2-000315
Warren Plant	OYJ-2-000316
Youngstown Plant	OYJ-2-000317
Republic Steel	OYD-2-000692
Sherwin Williams	OX2-2-000205
Stone Container	OYD-2-000431
Toledo Edison	
Bayshore Station	OX5-2-710265
Union Camp Corp.	OYD-2-000737
U.S. Steel Corp.	OYJ-2-000622
Vulcan Materials	OX2-3-000391
Wheeling-Pittsburgh Steel	OYJ-2-000327

Youngstown Sheet & Tube Co.
Brier Hill Plant
Campbell-Struthers Works

OYJ-2-000320
OYJ-2-000321

IV. Major dischargers to effluent limited non-priority basins.

Allied Chemical	
Agricultural Div.	OYD-2-000863
Semet Solvay Div., Coke Plant	OYD-2-000819
Tar Plant	OYD-2-000816
ARMCO Steel	OYD-2-000686
Bechtel-McLaughlin	OX2-2-000267
Dayton Malleable Iron Co.	OYD-2-000502
Empire Detroit Steel	OYD-2-000510
Gould Inc. Clevite Bearing Div.	OYD-2-000582
Federal Paperboard Co.	OYD-2-000349
National Steel Corp.	
Weirton Steel Div.	OYJ-2-000001
Ohio Edison Power	
Burger General Station	OYD-2-000428
Stratton	OYJ-2-000409
Toronto	OYJ-2-000349
Ohio Ferro Alloys	OYD-2-000471
Ohio Power	
Cardinal	OYD-2-001089
Muskingum	OYD-2-000545
Philo	OYD-2-000516
Tidd	OYD-2-001094
Ohio Valley Electric Co.	
Kyger Creek Station	OYD-2-000371
Penn Central	OYJ-2-001264
Shell Chemical	OYD-2-000716
Titanium Metals Corp.	OYJ-2-000090
Toronto Paperboard Co.	OYJ-2-000587
Union Carbide	
Chem/Plastics	OYD-2-000022
Ferro Alloy Div.	OYD-2-000041
Wheeling Pittsburgh Steel	OYD-2-000222
Wheeling Pittsburgh Steel	OYD-2-000323
Wheeling Pittsburgh Steel	OYD-2-000324
Wheeling Pittsburgh Steel	OYD-2-000328

List of Categories and Sizes (numbers) of Point Sources
Which Ohio Proposes to Issue Permits Under the NPDES Program

<u>Priority Groups and Discharger Categories</u>	<u>Estimated Number of Point Sources Required to File for NPDES Permit</u>
I. Major dischargers	
industrial	108
municipal	127
II. Dischargers to water quality segments in priority basins	
industrial	287
municipal	168
semi-publics	122
III. Dischargers to effluent standard class segment in priority basins	
industrial	115
municipal	28
semi-publics	46
IV. Dischargers to water quality class segments outside priority basins	
industrial	296
municipal	212
semi-publics	117
V. Dischargers to effluent standard class segments outside priority basins	
industrial	502
municipal	78
semi-publics	48
TOTALS	<u>2254</u>
Special Classes of dischargers	
water treatment (est)	300
strip mines (est)	<u>200</u>
	2754

2.3.3 Categories of Point Sources Not Required to Have NPDES Discharge Permits

Certain point source dischargers will not be required to apply for an NPDES discharge permit. The excluded categories of dischargers are defined in 40 CFR 124.11.

2.3.4 Public Notices and Participation Procedures

Policy

It is the policy of this agency to provide interested and potentially interested parties with information regarding proposed actions of the Director and to encourage public participation in determination process of issuing or denying an NPDES Permit. In the application of this policy, requirements and procedures as set forth in Section 125.32 et. seq. of the Federal Water Pollution Control Act and in Ohio Environmental Protection Agency Regulation EP-40 will be followed. In addition to these legal requirements, the Public Interest Center of this Agency will endeavor to place news items regarding the matters being advertised in the local papers in the area concerned. These news items will be in addition to the Legal Notices and will be scheduled to be published a few days prior to the event being advertised. In this manner, even though an item was advertised in the Legal Notices 30 days prior to the event, the public will again have an opportunity to be advised of the event.

Procedure

In implementing the above policy, Section 3745.07, Ohio Revised Code; Ohio Environmental Protection Agency Regulation EP-40, "Rules of Procedure"; and the requirements of the Federal Water Pollution Control Act will be followed.

Both Section 3745.07 and EP-40-07 require that receipt of an application be advertised in two manners. One is by advertising in a newspaper of general circulation in the county in which the source is located within ten days after receipt of the application. The second is by mailing within seven days of the receipt of the application notice by first class mail to those persons who subscribe on an annual basis for such notice. Applications are normally received in the District Offices. There they are logged in and the information necessary for advertising is sent by Teletype to the Data and Systems Division in Columbus. The Data and Systems Division, by use of a computer, generates the public notices for each county receiving any applications. A summation of the individual county listings constitutes the list sent to those persons who subscribe for it. Each Monday, Data and Systems delivers to the Hearing Clerk copies necessary for mailing to the advertising newspapers and to the subscribers. The actual mailing is done by the Hearing Clerk's Section.

As the application is processed in the District Office and a permit is drafted, a fact sheet and/or a public notice are generated. Because of the required content of a fact sheet, the District personnel can do this most easily. These documents become part of the permit package as it develops and progresses from the District to Columbus and through the various steps to arrive, ultimately, at the NPDES Permit Records Section.

The Permit Records Section will check to see that the public notice and fact sheet are present, complete and in compliance with regulations. If no objection has been received as a result of the initial advertisement of receipt of the application, a date for the public notice will be established. In order to provide for time to mail the public notice to a newspaper and have it published, this will normally be a date five days after the mailing of the notice to the paper. Legal holidays or requirement to publish in a weekly newspaper could cause a day or two increase in the five day figure but that will be an exception rather than a normal condition. On the same day the notice is mailed to the newspaper for publication, copies of the public notice, fact sheet and proposed permit will be mailed, as appropriate, to all interested Federal, State and local governmental agencies, the applicant, and all other parties who have been determined to be interested parties.

One of these addresses is the Agency's Public Interest Center (PIC). In this manner, the PIC is promptly made aware of the proposed action and can schedule releases to the news media at appropriate times.

When the 30-day period for public notice has expired, determination of whether or not significant public interest has been shown to warrant a public meeting will be determined by the Technical Regulatory Advisory Group. If no public meeting is to be held and no adjudication hearing has been requested, the permit could be issued.

The simplest, cleanest path has been described above. If an objection had been received as a result of the advertising upon initial receipt of the application, the objector would have received copies of the public notice and fact sheet. The applicant would have been notified of the objection raised. The need for an adjudication hearing is established by receipt of the objection (Section 3745.07). The actual date of hearing would be determined after consultation with the Chief Hearing Examiner.

2.3.5 Monitoring, Reporting and Recording Procedures

Effluent Monitoring

The monitoring, recording and reporting requirements for NPDES permittees in Ohio are under the jurisdiction of the Division of Surveillance, Source Performance Section. These monitoring programs meet the requirements of the U.S. EPA as stated in 40 CFR 124.61 to 124.64.

The general requirements of the monitoring program will be listed as general conditions of the permit and will include the requirement:

- (1) to install, use and maintain monitoring equipment when ordered;
- (2) to measure the effluent flow and sample and analyze the constituents;
- (3) to record the details of the sampling and analyses and to retain these records for a minimum of three years; and
- (4) to report monthly the effluent flows and constituent analyses indicated in the permit.

The system within Ohio EPA for the review of the monthly reports is based on the use of electronic data processing for the storage and initial screening. The monthly reports will be received in the district office, logged in, and checked for completeness. The two part copy will then be separated with the original being filed as a legal document. The copy will be given a quick screening by the technical staff and then sent to the Division of Data and Systems in Columbus for encoding. The encoded data will be thoroughly checked for errors and then screened against the effluent limits and sampling frequency established in the permit. Monitoring reports that show out-of-limits data or improper sampling frequency will be listed and sent to the district office for verification and follow-up.

The results of the screening program will be used to select those permittees who persist in non-compliance for field surveillance and possible enforcement action.

The data in the monthly report data bank will be used to calculate the effluent loadings for entry into the U.S. EPA General Point Source File (GPSF). These data will be supplied to U.S. EPA on tape in a format capable of direct entry into GPSF. When the details of the system are set and approved, permit holders can be notified that the single report to Ohio EPA will satisfy the self-monitoring requirements of the U.S. EPA.

The data in the monthly report data bank will also be used for statistical analysis to determine means, standard deviations, correlations between parameters, seasonal variations and time trends. The data can be sorted by many characteristics, e.g., industries by type, public facilities by discharge volume and type of treatment, and entities by river basin in order along a river. The latter makes the data readily available for basin studies under Section 303(e).

Compliance Monitoring

When a permittee's present discharge does not meet the legal requirements of state law, he will be required to construct facilities to bring him into compliance. As required in an NPDES permit, the permittee will be required to submit a number of reports indicating progress towards meeting the permit requirements. These reports will be received by the district office representative of the NPDES Permit Records Section. One copy of the report will be forwarded to the Division of Data and Systems for placing in the Water Permits Information System; the other copy will be forwarded to the Division of Waste Management and Engineering for review and determination of adequacy. If the report is inadequate or the Water Permits Information System printouts indicate reports have not been filed, district office personnel will be responsible for investigating the problem. If non-compliance persists, the case will be referred to the Litigation and NPDES Permit Records Division for possible legal action.

2.3.6 Outstanding State Permits

The Ohio EPA replaced the Ohio Water Pollution Control Board (WPCB) in October 1972. Ohio EPA has not issued any proposed permits since its creation except for the six NPDES permits issued jointly by Ohio EPA and Region V. All permits issued by the WPCB will have expired not later than November 15, 1973, unless an adjudication hearing was requested. For those entities which requested an adjudication hearing and received modified findings and orders as a result, all but 31 of the permits issued will expire in October 1973. Of the 31 remaining, 12 will expire by January 1974 and the other 19 by the end of December 1974. The Ohio EPA recognizes that these existing orders will not be sufficient for the purposes of the NPDES program. All dischargers into the waters of the State of Ohio which are currently under order of the Water Pollution Control Board will be required to file an application for an NPDES permit pursuant to state law and applicable federal laws. The Ohio EPA will be issuing permits with appropriate restrictions by December 1974 for all dischargers currently under order of the Water Pollution Control Board.

2.4 Manpower and Funding Support

The Ohio EPA has determined that 65.7 man years are sufficient to provide adequate support to the NPDES program. To supply this effort will involve 153 present staff and filling three vacancies in the Division of Data and Systems. Financial support for this program is derived from a total Agency budget of \$12,347,946. State revenues account for \$10,314,962 and federal program grants amount to \$2,032,984.

Summary of Ohio EPA Staff, Time, Salaries, and Support Costs to

Administer the NPDES Program

Staff Time and Salaries:

<u>Division</u>	<u>Man-Years</u>	<u>Cost</u>
Waste Management & Engineering	29.05	\$ 363,811
Surveillance	17.75	180,778
Litigation/NPDES Permit Records	9.50	98,339
Planning	2.70	26,885
Data & Systems	4.90	47,907
Intergovernmental Administration	.30	3,282
Office for Environmental Programs	1.50	10,471
Sub-Total	65.70	\$ 731,473
Fringe Benefits - 15%		\$ 109,720
TOTAL		\$ 841,193

Administrative Support:

	<u>Cost</u>
Travel	\$ 57,000
Motor Vehicle Expense	23,000
Supplies	8,000
Duplicating	8,000
Data Processing	21,000
Printing	3,000
Rent	85,000
Postage	8,000
Communications	25,000
Laboratory	240,000
Hearings and Advertising	74,000
Equipment	25,000
Other Administrative Support	29,000
Total	\$ 606,000
<u>Grand Total</u>	<u>\$1,447,194</u>

Crucial to an effective program are trained personnel to carry out the various activities. In the following section, the personnel working with the permit program are divided by Civil Service classification. The qualifications necessary for a person to hold the various positions are detailed in Appendix 3.5.

Classification of Personnel Involved in NPDES

<u>Position Title</u>	<u>No. of Staff</u>	<u>Annual Salary</u>	<u>% Man Years in Permit Program</u>
<u>Waste Management and Engineering - Central Office</u>			
P.H. Engr. 7	1	\$ 23,733	.05
P.H. Engr. 6	3	19,698	.50
P.H. Engr. 5	2	17,306	.60
P.H. Engr. 4	1	15,142	.40
P.H. Engr. 2	5	12,938	2.80
Eng. Tech. 7	2	12,376	.80
Eng. Tech. 4	1	9,006	.40
Eng. Tech. 2	1	7,821	.40
Eng. Tech. 1	2	7,322	.80
Chemist 2	1	9,797	.40
Clerk-Typist 3	<u>3</u>	6,406	<u>1.20</u>
	21		8.35
<u>District Offices</u>			
P.H. Engr. 7	4	23,733	.40
P.H. Engr. 5	5	17,306	1.60
P.H. Engr. 4	3	16,578	1.00
P.H. Engr. 3	1	14,414	.40
P.H. Engr. 2	32	12,938	12.50
P.H. Engr. 1	1	11,939	.40
Eng. Tech. 7	1	12,376	.40
Eng. Tech. 6	1	11,939	.40
Eng. Tech. 5	1	10,650	.40
Eng. Tech. 4	1	9,006	.40
Eng. Tech. 3	5	8,382	1.60
Clerk 4	1	7,966	.40
Clerk-Typist 3	2	6,406	.40
Clerk-Steno 3	<u>1</u>	6,614	<u>.40</u>
	59		20.70
Totals	<u>80</u>		<u>29.05</u>
Total Cost			\$ 363,811
<u>Surveillance - Central Office</u>			
P.H. Engr. 6	1	19,698	.40
P.H. Engr. 5	1	17,306	.20
P.H. Engr. 2	1	12,938	1.00
Eng. Tech. 7	2	12,376	2.00
Clerk-Typist 3	<u>2</u>	6,406	<u>1.00</u>
	7		4.60

District Office

P.H. Engr. 3	2	14,414	1.00
P.H. Engr. 2	6	12,938	3.95
Eng. Tech. 7	1	12,376	1.00
Eng. Tech. 6	1	11,939	.70
Eng. Tech. 4	2	9,006	1.10
Eng. Tech. 3	2	8,382	1.20
Eng. Tech. 2	2	7,821	.70
Eng. Aide 3	1	7,322	.70
Chemist 2	1	9,797	.40
Clerk-Typist 2	1	5,824	.70
Clerk-Typist 1	2	5,325	1.70
	<u>21</u>		<u>13.15</u>

Totals	<u>28</u>		<u>17.75</u>
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Total Cost			\$ 180,778
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Data and Systems

Admin. Spec. 4	2	12,376	2.00
Admin. Spec. 3	1	10,650	1.00
EDP Data Clerk 2	<u>4</u>	5,990	1.90
	<u>7*</u>		<u>4.90</u>

* Three positions are presently vacant

Totals	<u>7</u>		<u>4.90</u>
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Total Cost			\$ 47,907
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Intergovernmental Administration

Admin. Spec. 4	1	12,376	.20
Admin. Spec. 1	<u>1</u>	8,070	.10
	2		.30

Totals	<u>2</u>		<u>.30</u>
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Total Cost			\$ 3,282
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Office for Environmental Programs

P.H. Engr. 6	1	19,698	.75
Clerk-Typist 3	<u>1</u>	6,406	.75

Totals	<u>2</u>		<u>1.50</u>
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Total Cost			\$ 10,471
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Litigation and NPDES Permit Records

Executive 6	2	16,578	.95
Atty. Exam. 5	2	15,850	.50
Atty. Exam. 4	1	13,915	.20
Atty. Exam. 2	2	11,066	.20
P.H. Engr. 6	1	19,698	.30
Admin. Spec. 4	2	12,376	.90
Admin. Spec. 2	4	9,006	1.05
Admin. Spec. 1	3	8,070	.60
Clerk 5	1	7,821	.75
Clerk 4	1	7,966	.30
Clerk-Typist 3	6	6,406	2.90
Clerk-Typist 2	1	5,824	.75
Secretary 1	<u>1</u>	6,822	<u>.10</u>
	<u>27</u>		<u>9.50</u>
Totals	<u>27</u>		<u>9.50</u>

Total Cost

\$ 98,339

Planning

Admin. Spec. 3	2	10,650	.80
Admin. Spec. 2	1	9,006	.40
Admin. Spec. 1	1	8,070	.40
P.H. Engr. 2	1	12,938	.30
Eng. Tech. 2	1	7,821	.40
Engr. in training	<u>1</u>	10,650	<u>.40</u>
	<u>7</u>		<u>2.70</u>
Totals	<u>7</u>		<u>2.70</u>

Total Cost

\$ 26,885

2.5 Forms Other Than Uniform National Forms for Use in NPDES to Be Used by Ohio EPA

The Ohio EPA does not intend to use any other form than those uniform national forms which are established by the Administrator of U.S. EPA for use in the NPDES program except a separate form for reporting monitoring information. These reports received from the dischargers pursuant to monitoring requirements will be interfaced with the General Point Source File (GPSF) and will be available to U.S. EPA.

The following page, 34a, is the Ohio EPA Monthly Report Form.

